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RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
GROUP 1616
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q77444

ZEN, Shigekazu

Appln. No.: 10/663,843

Group Art Unit: 1616

Confirmation No.: 2852

Examiner: John D. Pak

Filed: September 17, 2003

For: PESTICIDAL EMULSIFIABLE CONCENTRATE

RESPONSE UNDER 37 C.F.R. § 1.116

MAIL STOP AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated February 23, 2005, please consider the remarks as submitted herewith on the accompanying pages.

REMARKS

Claims 1 and 4-10 are pending in the application.

On page 4 of the Office Action dated February 23, 2005, the Examiner asserts that Applicants' amendment necessitated the new ground of rejection presented in the Office Action.

On the contrary, Applicants submit that Schmitt and the two Derwent abstracts were cited for the first time in the Office Action dated February 23, 2005. In the Amendment under 37 C.F.R. § 1.111 submitted on November 24, 2004, Applicants deleted compound [2] of